

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BERNARDO TAPIA,
Plaintiff,

v.

SCOTT KERNAN,
Respondent,

No. C 04-2910 MMC (PR)

**ORDER DENYING MOTION FOR
EXTENSION OF TIME AND
APPLICATION FOR LEAVE TO
PROCEED IN FORMA PAUPERIS
ON APPEAL**

(Docket Nos. 21, 23)

On July 19, 2004, petitioner, a California prisoner proceeding pro se, filed the above-titled petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On December 22, 2006, judgment was entered against petitioner after the petition was denied on its merits; petitioner thereafter filed an appeal and paid the filing fee. Now before the Court are petitioner's motion for an extension of time to file an application to proceed in forma pauperis ("IFP") on appeal and an IFP application. In light of plaintiff's payment of the filing fee, his motion for an extension of time and application to proceed IFP on appeal are hereby DENIED as moot.

This order terminates Docket Nos. 21 and 23.

IT IS SO ORDERED.

DATED: April 11, 2007


MAXINE M. CHESNEY
United States District Judge